

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MATTHEW JOSEPH MCAVOY,  
Plaintiff,

v.

CORRECTION OFFICER FRANCO,  
Defendant.  
-----X

2/16/22  
**ORDER OF DISMISSAL**

20 CV 8345 (VB)

2/16/22  
Copies Mailed/Faxed  
Chambers of Vincent L. Briccetti

The Court has been advised that the parties have reached a settlement in principle in this case. Accordingly, it is hereby ORDERED that this action is dismissed without costs, and without prejudice to the right to restore the action to the Court's calendar, provided the application to restore the action is made by no later than March 18, 2022. To be clear, any application to restore the action must be filed by March 18, 2022, and any application to restore the action filed thereafter may be denied solely on the basis that it is untimely.

All other deadlines, scheduled conferences, or other scheduled court appearances are cancelled. Any pending motions are moot.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

The Clerk is instructed to close the case.

Dated: February 16, 2022  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge